



CRA Board Meeting Minutes
Tuesday, August 13, 2019 – 1:30 p.m.
City Commission Chambers – 100 NW 1st Avenue
Delray Beach, FL 33444

STAFF PRESENT:

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| Renee Jadusingh | Danielle Arfin | DJ Lee | Anne Fredy |
| Lori Nolan | Krista Walker | Tara Toto | Ivan Cabrera |
| Lori Hayward | Alexina Jeannite | Jill Brown | |

OTHERS PRESENT:

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| Yvonne Odum | Amanda Skeberis | DJ Doody |
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1. Call to Order

Chair Petrolia called the meeting to order at 1:30 p.m.

2. Roll Call

Present: Chair Shelly Petrolia, Vice Chair Shirley Johnson, Deputy Vice Chair Angie Gray, Treasurer Bill Bathurst, Commissioner Adam Frankel, and Commissioner Ryan Boylston.

Absent: Commissioner Pamela Brinson.

3. Approval of Agenda

CRA Executive Director Renee Jadusingh asked that item 6e be moved to New Business, becoming item 7aa, and that items 8d and 8e be removed from the agenda.

Deputy Vice Chair Gray asked that item 8f be removed, and a workshop meeting be scheduled to discuss. She stated she would like the CRA to regroup regarding its housing plan.

The Board discussed a task force which was previously looking at the housing issue.

Chair Petrolia stated she would like to have a conversation and then table the item if necessary.

Commissioner Frankel joined the meeting at 1:34 p.m.

Motion by Commissioner Boylston, seconded by Commissioner Bathurst, to approve the agenda as amended. In a roll call vote, the **motion** passed unanimously (6-0).

4. Approval of Minutes

a. Minutes of June 4, 2019 Special Meeting

Motion by Commissioner Boylston, seconded by Deputy Vice Chair Gray, to approve the minutes of the June 4, 2019 Special Meeting. In a roll call vote, the **motion** passed unanimously (6-0).

Board Attorney DJ Doody noted since there was now an even number of members present, any tie votes would fail.

b. Minutes of June 11, 2019 Workshop Meeting

Motion by Commissioner Boylston, seconded by Vice Chair Johnson, to approve the minutes of the June 11, 2019 Workshop Meeting. In a roll call vote, the **motion** passed unanimously (6-0).

c. Minutes of June 11, 2019 Regular Meeting

Motion by Commissioner Boylston, seconded by Vice Chair Johnson, to approve the minutes of the June 11, 2019 Regular Meeting. In a roll call vote, the **motion** passed unanimously (6-0).

d. Minutes of July 9, 2019 Workshop Meeting

Motion by Commissioner Boylston, seconded by Vice Chair Johnson, to approve the minutes of the July 9, 2019 Workshop Meeting. In a roll call vote, the **motion** passed unanimously (6-0).

e. Minutes of July 9, 2019 Regular Meeting

Motion by Commissioner Boylston, seconded by Vice Chair Johnson, to approve the minutes of the July 9, 2019 Regular Meeting. In a roll call vote, the **motion** passed unanimously (6-0).

5. Public Comments on Non-Agenda and Consent Agenda Items

Yvonne Odum, referenced a CRA brochure which addressed affordable housing at the Corey Isle development, and said she had concerns regarding the land. She stated people who make payments for 30-40 years should own the land their house is on, and she hoped for a discussion.

She explained the Delray Beach CDC has been in existence since 1992, and every home sold has included the land and the house.

6. Consent Agenda

a. CRA Monthly Financial Report – May 2019

b. CRA Monthly Financial Report – June 2019

c. CRA Monthly Work Plan Progress Report – July 2019

d. Approve Declaration of Restrictive Covenants for West Settlers' Condominium

e. First Amendment to Purchase & Relocation Agreement for 215 NE 7th Ave.

f. Agreement for Purchase & Sale – Habitat for Humanity of South Palm Beach County, Inc. – 242 NW 6th Ave.

Item 6e was removed from the Consent Agenda.

Motion by Commissioner Frankel, seconded by Commissioner Bathurst, to approve the Consent Agenda as amended. In a roll call vote, the **motion** passed unanimously (6-0).

7. Old Business

aa. First Amendment to Purchase & Relocation Agreement for 215 NE 7th Ave.

Chair Petrolia explained the item was pulled from the Consent Agenda to allow a Board member to step down for the vote.

Motion by Commissioner Frankel, seconded by Commissioner Bathurst, to approve the amendment. In a roll call vote, the **motion** passed unanimously (5-0). Commissioner Boylston abstained.

a. Preliminary Fiscal Year 2019/20 CRA Budget Update

Lori Hayward, Finance and Operations Director, provided a brief overview of updates to the CRA budget.

She stated major changes to the budget include:

- The addition of \$750,000 in income for Corey Isle single family home sales (10 homes)
- Consolidation of land acquisitions, additional funds added
- Removed Carver Square construction, staff is seeking alternative funding sources

- Raised Curb Appeal budget from \$75,000 to \$150,000.
- Consolidating remaining CRA grant programs, with a budget of \$150,000 (additional carry-over funds could be added if available)
- Demolition funds are revised to alley clearing
- Removed line for Planning/IT/Parking Manager with City, added IT Services
- Took out line for innovative placing

Ms. Hayward showed the preliminary budget for the Delray Beach CRA FY 2019/20 Clean and Safe Program Fund and outlined highlights. She provided additional details regarding the history of reimbursable charges in the program for pressure cleaning. She asked for direction regarding the line item.

Chair Petrolia clarified the City is doing the pressure cleaning and the CRA is billed, but in the past few years, it has not been billed.

Ms. Hayward stated staff needed direction on whether to look for additional funds in the budget for pressure cleaning and noted line items which could be used.

Amanda Skeberis, Clean and Safe Administrator, provided information regarding how the budget line item was determined previously. She stated the cleanings are currently scheduled quarterly.

The Board and staff discussed the cost of pressure cleaning in comparison to the bids received, as well as whether the service being received was the best quality and increasing the frequency of cleaning.

Ms. Skeberis stated the current contract expires in February and said she can work with purchasing to get numbers for more frequent cleaning.

Chair Petrolia stated the consensus of the Board was that pressure cleaning is important, and funds should be made available to increase the program.

Commission Boylston encouraged Ms. Skeberis to investigate a previous DDA program where students did pressure cleaning, potentially for volunteer hours.

The Board and staff discussed pressure cleaning issues in the community.

Chair Petrolia stated she was supportive of the increase the Curb Appeal program, and noted she appreciated Corey Isle being shown as a revenue.

Vice Chair Johnson asserted a workshop discussion needed to be held on the sidewalks and alleys, stating she felt the process was flawed. She said feasibility and alternatives needed to be considered, as well as priorities.

Ms. Jadusingh noted a workshop discussion was held regarding the alleys in June. She stated some of the alley prioritization decisions are on the City level and noted they will be before the Commission sometime soon.

The Board discussed continuing work on the alley issues and at what level the decision and policy are made, as well as where funds could be found to increase cleaning efforts.

Deputy Vice Chair Gray stated she was not in support of removing Carver Square from the budget, as it had been waiting to be completed and is ready to go to bid.

Vice Chair Johnson agreed, saying some of the alley project could not be done at this time, so she wanted to see focus in the budget.

Ms. Jadusingh explained funding for design and legal investigation for the alley project was allocated in the 2018/19 budget, and nothing is allocated in the 2019/20 budget. She outlined the capital improvement projects which are included.

The Board discussed the CRA priorities for the fiscal year.

Ms. Jadusingh stated the Osceola Park project in the budget is 100 percent designed and is planned for construction in two (2) parts early in the 2019/20 fiscal year.

Deputy Vice Chair Gray said the Carver Square project was ready to go before the Osceola Park project but can't because funding is allocated elsewhere.

Chair Petrolia stated projects like Carver Square and Corey Isle impact specific people, but it is also the job of the CRA to help the community as a whole, so balance is needed. She said additional funding sources must be found to move forward.

Continuing, Chair Petrolia said the CRA would never be able to fully meet the need but must continue to do what it can.

Deputy Vice Chair Gray stated housing is the number one (1) priority of the CRA. She said a lot of money has been put into downtown and Osceola Park. She stated a housing project brings the entire community along, not just those who live in it.

Continuing, Deputy Vice Chair Gray said a conversation needs to be had regarding affordable housing, and where the CRA fits into the mix available in the community. She stated if something needed to be moved to another year, it should be Osceola Park, not the housing development.

Commissioner Boylston said it would be great to get creative and not table any projects, but Osceola Park has been waiting for a long time. He noted Osceola Park is in the second to last zone for level of investment in the CRA district.

Ms. Hayward provided details on what percentage of the budget has gone into each zone this year and in previous fiscal years. Continuing, she shared the Arts Warehouse budget and year to date spending.

The Board and staff discussed the carry-forward shown in the budget and asked questions regarding budget line items.

Chair Petrolia opened the item to public comment, however seeing none to speak, closed the public hearing.

Ms. Jadusingh stated the budget would come back before the Board at the September meeting, this presentation was purely for feedback. She said staff is seeking grant funding for the housing project.

b. First Amendment Purchase & Sale Agreement – BH3 Management, LLC – SW 600-800 Blocks of W. Atlantic Ave.

Ms. Jadusingh stated there was an error in the contract with BH3 regarding workforce housing. She explained the housing was to be available September 1, but was listed inadvertently as July 1, and an amendment was needed to make the correction.

Chair Petrolia opened the item to public comment, however seeing none to speak, closed the public hearing.

Vice Chair Johnson stated she was hearing negative comments regarding the quality of the workforce housing and asked if the CRA had any input.

Commissioner Frankel said similar conversations were had regarding the townhouses on Federal Highway, and now they are all filled.

Motion by Deputy Vice Chair Gray, seconded by Commissioner Boylston, to approve the amendment. In a roll call vote, the **motion** passed unanimously (6-0).

8. New Business

a. Third Amendment to Interlocal Agreement for Construction/Professional Services for Fiscal Year 2018/19

Chair Petrolia opened the item to public comment, however seeing none to speak, closed the public hearing.

Motion by Deputy Vice Chair Gray, seconded by Commissioner Frankel, to approve the amendment. In a roll call vote, the **motion** passed unanimously (6-0).

b. Work Assignment – Treasure Coast Regional Planning Council – CRA Plan Amendment

Ivan Cabrera, CRA Project Manager, presented the scope of work and allocated funds for the CRA Redevelopment Plan Amendment. He said Kim Delaney with Treasure Coast Regional Planning Council was present to answer questions.

Ms. Jadusingh stated the plan was last amended in 2013, and this amendment is required by statute. She said all expenditures must come from the plan, so this amendment is an opportunity for the Board to set the direction for the future.

Chair Petrolia opened the item to public comment, however seeing none to speak, closed the public hearing.

Motion by Commissioner Boylston, seconded by Deputy Vice Chair Gray, to approve the work assignment. In a roll call vote, the **motion** passed unanimously (6-0).

c. Agreement for CRA Marketing/Communication Services

Chair Petrolia opened the item to public comment, however seeing none to speak, closed the public hearing.

Deputy Vice Chair Gray stated she would like to see staff providing information regarding how organizations were scored, rather than just the final recommendation.

Motion by Deputy Vice Chair Gray, seconded by Commissioner Bathurst, to approve the agreement. In a roll call vote, the **motion** passed unanimously (6-0).

d. Award Request for Bids – Construct New Foundation at 20 N Swinton Ave. – Bids due Aug. 9, 2019

Item removed from agenda prior to approval.

e. Modification of Historic Façade – Masonic Lodge Building – 44 E Atlantic Ave.

Item removed from agenda prior to approval.

f. Habitat for Humanity of South Beach County, Inc. – Letter of Interest to Purchase Two (2) CRA-Owned Residential Properties

Mohammed Abdalla with Habitat for Humanity outlined the projects of the program in the past two (2) years, including those completed and in process. He said the program has stuck to its agreements under the current executive team.

Mr. Abdalla presented proposed home designs for the lots addressed in the letter of interest and stated he was available for questions.

Chair Petrolia opened the item to public comment.

Yvonne Odum, stated families need to understand clearly that the lots went to the Community Land Trust (CLT), not the homeowners.

Chair Petrolia closed the public hearing and asked Mr. Abdalla to address the comment.

Mr. Abdalla stated Habitat for Humanity homeowners understand the lot is held in trust in order to make the housing affordable, and noted owners have an option to purchase the lot once their 30-year payment is completed.

Continuing, Mr. Abdalla outlined the 250-hour process applicants complete, consisting of education on transitioning to home ownership and sweat equity.

Chair Petrolia asked if the option to purchase the lot would be at market value.

Mr. Abdalla stated he would get back to her with information regarding the purchase option, as it fell under the Homeowners Service Director. He said typically homeowners do not make the purchase.

Chair Petrolia clarified what was being created was a one (1) family home which gets passed down, because the owners are unable to sell due to inability to pay land value.

Mr. Abdalla provided additional information regarding the program.

Chair Petrolia stated affordable housing provides an important place in the system and that no one goes into it with the intent to sell, but that she felt at some point they should be released, as it was not equitable in her eyes after a certain period of time.

The Board and Mr. Abdalla discussed the financial details of a house built through Habitat for Humanity.

Deputy Vice Chair Gray stated the Board needed to take a trip to look at the quality of homes built through Habitat for Humanity and those built through the Community Land Trust, and to have a conversation regarding the value of lots.

Chair Petrolia stated she learned a lot from the conversation. She said the CRA is defeating its own purpose by releasing the lots at an affordable price only to have them go back on the market at full price later.

In response to Deputy Vice Chair Gray's request to take a tour of the homes, Mr. Abdalla stated his team was open to input regarding the design of builds and noted 30 percent of the construction is done by thousands of volunteers from the community.

Vice Chair Johnson said she appreciated the build quality being brought up and noted she did not realize Habitat for Humanity was open to design input. She stated she appreciated that homeowners are given the opportunity to purchase the home without worrying about the land value.

Continuing, Vice Chair Johnson asked if the availability of the lot was open to all organizations in the community.

Ms. Jadusingh explained it was public record when the lot was purchased.

Vice Chair Johnson clarified she was asking if other organizations were given an opportunity before Habitat for Humanity was considered for the transfer.

Mr. Doody stated the bid was unsolicited. He said it was not advertised or solicited, but there was a 30-day notice of the received letter, and there were no responses.

Motion by Commissioner Boylston, seconded by Vice Chair Johnson, to accept the Letter of Intent and proceed to a Purchase & Sale Agreement. In a roll call vote, the **motion** failed (3-3). Chair Petrolia, Vice Chair Johnson, and Deputy Vice Chair Gray voted no.

Motion by Commissioner Boylston, seconded by Vice Chair Johnson, to reject the Letter of Intent from Habitat for Humanity. In a roll call vote, the **motion** failed (3-3). Commissioner Frankel, Commissioner Bathurst, and Commissioner Boylston voted no.

Mr. Doody stated the net result to two (2) failed votes was that there was no action to be taken regarding the letter.

Ms. Jadusingh said a workshop would be held on the issue.

Chair Petrolia thanked Mr. Abdalla for his work in the community, and for taking the time to explain the process before the Board. She stated she feels more informed than she had been in the past.

Commissioner Bathurst stated he agreed that the Board needed to direct what percentage of its housing falls under each of the models for the best long-term results.

g. CRA Organization Policy Update – Human Resources Policies & Procedures Manual

Ms. Jadusingh stated the Human Resources Manual was reviewed by the attorneys and a HR consultant, and changes were recommended. She outlined the changes briefly.

Chair Petrolia opened the item to public comment, however seeing none to speak, closed the public hearing.

Motion by Commissioner Frankel, seconded by Deputy Vice Chair Gray, to approve the updates. In a roll call vote, the **motion** passed unanimously (6-0).

9. Other Business

a. Comments by Commissioners

Commissioner Frankel asked Mr. Doody if it was a CRA policy or local rule that there be public comment after each agenda item, but only two (2) minutes at the top.

Mr. Doody stated the Board is permitted to place reasonable restrictions in regard to time, but not to content. He said there is some variation from jurisdiction to jurisdiction. There is a statute which requires public participation, however the statute does not dictate that comment be held after each item.

Commissioner Frankel recommended that an item be added to the next agenda to revise the public comment section at the beginning of the meeting from two (2) minutes to three (3) minutes, and to include comments on agenda items during that time. He stated if there were a huge issue, the Chair would have discretion to extend additional time.

The Board and legal counsel discussed public comment at CRA meetings.

Mr. Doody stated public comment would need to be an agenda item at each meeting. He noted in some Cities, CRAs require that speakers sign in prior to being permitted to speak, which is a question for how formal the Board wishes to be.

Motion by Commissioner Frankel, seconded by Commissioner Bathurst, to change public comment beginning with the October meeting to extend public comment on all CRA-related items from two (2) minutes to three (3) minutes. In a roll call vote, the **motion** passed unanimously (6-0).

The Board and counsel discussed what items would fall under CRA public comment.

Motion by Commissioner Frankel, seconded by Commissioner Bathurst, to change public comment beginning with the October meeting to eliminate the public comment after each agenda item unless a consensus of the Board allows otherwise. In a roll call vote, the **motion** passed unanimously (6-0).

b. Comments by Board Attorney

Mr. Doody stated he had provided the Board with a memorandum regarding IPIC and was available for any questions or clarifications. He said the ongoing cost-sharing agreement between the CRA and Delray Beach Holdings Fourth and Fifth is not the subject of any bankruptcy proceedings and staff will move forward accordingly.

Chair Petrolia thanked Mr. Doody for getting the information out in a timely manner so the Board could understand.

c. Comments by Executive Director

None.

10. Adjournment

There being no further discussion, the meeting was adjourned at 3:05 p.m.

Renee Jadusingh, Executive Director

Shelly Petrolia, Board Chair